

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

RAYMOND TOWNE,

Plaintiff,

v.

Case No. 08-14556

FORD MOTOR COMPANY,

Honorable Arthur J. Tarnow

Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION [39]

Now before the Court is Plaintiff's Motion for Reconsideration [39].

Local Rule 7.1(h)(3) provides that:

Generally, and without restricting the court's discretion, the Court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

Here, Plaintiff raises an argument not previously asserted but "a motion for reconsideration is not properly used as a vehicle to re-hash old arguments or to advance positions that could have been argued earlier but were not." *See* Smith v. Mount Pleasant Pub. Schs, 298 F. Supp. 2d 636, 637 (E.D. Mich. 2003). Plaintiff has not shown that his argument could not have been raised previously.

Moreover, even if the Court were to consider Plaintiff's argument, Plaintiff has not shown any palpable defect in this Court's order, as required by L.R. 7.1(h)(3). Contrary to Plaintiff's assertion, the terms of the SISP and SISP

Summary Plan do not contain conflicting language.

Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Reconsideration [39] is **DENIED**.

SO ORDERED.

s/Arthur J. Tarnow

Senior United States District Judge

Dated: July 2, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 2, 2010, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry

Case Manager